

CENTRAL DISTRICT OF CALIFORNIA

CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: Deputy Clerk

First Lenders Indemnity Corp.

Bk. No. SA97-16576ES

Debtor (s)


**ORDER DENYING REQUEST FOR
RELEASE OF UNCLAIMED FUNDS
(28 U.S.C. Section 2042,
Bankruptcy Rule 9013,
Bankruptcy Local Rule 3011-1)**

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On February 3, 2010, Martha Dear for Evelyn Lawhon (deceased) c/o Dilks & Knopik, LLC filed a request for release of unclaimed funds pursuant to 28 U.S.C. Section 2042. The request is denied for the following reason (s):

- _____ 1. A request for an order must be made by written motion according to Bankruptcy Rule 9013. Contact Financial Services at (213) 894-3836 to obtain the appropriate form.
- _____ 2. Motion practice in the United States Bankruptcy Court for the Central District of California is controlled by Local Bankruptcy Rule 3011-1 as promulgated by the United States District Court for the Central District of California. The request does not comply with either Bankruptcy Rule 9013 or Local Bankruptcy Rule 3011-1.
- _____ 3. The name of the claimant listed on the trustee's report is not the same as shown on the motion. No explanation of the difference is provided.
- _____ 4. The address of the claimant listed on the trustee's report is not the same as shown on the motion and the difference is not explained.

- _____ 5. The corporate seal is not stamped on the motion &/or power of attorney.
- _____ 6. The name on the corporate seal does not match the name listed on the claim.
- _____ 7. An original power of attorney was not submitted.
- _____ 8. The Proof of Service has not been completed.
- _____ 9. The Proof of Service is incomplete. The following is missing:
- X 10. There are still insufficient supporting documents showing the claimant to be the successor-in-interest to the funds claimed even with the additional documentation provided.
- _____ 11. There is no resolution with seal that verifies the person signing the motion and/or power of attorney is authorized to sign on behalf of the creditor.
- _____ 12. The documents supporting the claim have not been certified.
- _____ 13. Financial Services is unable to locate a copy of the trustee's report which accompanied the deposit of funds in this case.
- _____ 14. Financial Services has no record the funds being claimed were ever received by the Clerk's Office from the trustee.
- _____ 15. Fund locator submitting this claim has failed to register with this court.
- ✓ 16. No proof of identification provided (driver's license/passport).
- ✓ 17. Other: *insufficient evidence that Evelyn Lawhon has no living blood relatives.*



United States Bankruptcy Judge
JUST - REV

2/19/10

Date